



June 17, 2020

The Honorable Robert E. Lighthizer
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Lighthizer:

On behalf of our organizations, which together represent artists and record labels across the music community, we thank you and your team for your successful efforts to ensure Canada fully implemented the obligation to give national treatment to sound recordings in the US-Mexico-Canada Agreement. The guarantee of this bedrock principle has been part of copyright and neighboring rights treaties since 1886 in the Berne Convention for the Protection of Literary and Artistic Works. Full implementation of this obligation in Canada as a result of USMCA will finally ensure that Americans are properly compensated for the use of their recordings in Canada and rightfully removes past discriminatory treatment based upon their national origin.

With the COVID-19 pandemic having completely upended the music industry and wreaked economic havoc on American artists and performers, full national treatment for American creators and rights holders – and the work that USTR did to achieve this in the USMCA – is more important than ever. We applaud your effort.

As you know, there is much left to do to ensure equal treatment of American music creators around the world. Earlier this year in its 2020 Special 301 filing, SoundExchange highlighted five territories, in addition to Canada, that deny full national treatment to American labels and performers, meaning these countries do not send royalties to Americans for the same uses of their sound recordings that nationals of these countries would receive. To put this issue in perspective, in the absence of full national treatment in just these five territories—Australia, France, Japan, the Netherlands, and the United Kingdom—American performers and producers are denied approximately \$150 million in royalties annually. Worldwide that total doubles to more than \$330 million.

Canada's recognition of national treatment for American music creators is much-needed progress. **We urge you to make full national treatment for sound recordings a priority in future trade agreements, particularly as you negotiate the US-UK free trade agreement. We stand ready to work with you to achieve full national treatment for American music creators in all future trade agreements and build on the great work USTR achieved in the USMCA.**

Sincerely,

Michael J. Huppe
President & CEO
SoundExchange

Jack Quinn
President
Music Artists Coalition

Dr. Richard James Burgess
President
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Harvey Mason jr.
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